IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.1029 OF 2006

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OFFICE NOTES, OFFICE MEMORANDUM OF CORAM, APPEARANCES, COURT'S ORDERS OR DIRECTIONS AND REGISTRAR'S ORDERS	COURT'S OR JUDGES ORDERS

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Shri Harihar Bhave i/by M/s.Bhave & Company
for the Petitioner.
Ms S.V.Gajare, A.P.P. for the State.

CORAM : A. S. OKA, J.
DATE : OCTOBER 03, 2006.

P.C.:

1. Heard the Advocate appearing for the Petitioner. By this Petition under Article 227 of the Constitution of India read with section 482 of the Code of Criminal Procedure, 1973 prayer is made for quashing proceedings of a private complaint filed by the first Respondent. On the said private complaint the learned Magistrate has issued process.

2. In view of decision of this court in the case of V.K.Jain & Ors. Vs. Pratap V. Padode & Anr. (2005(3) Maharashtra Law Journal Page 778), remedy of filing revision Application for challenging the order

issuing process is available to the Petitioner. The said remedy is admittedly not availed by the Petitioner. Hence, this Petition is not entertained and the same is rejected. Notwithstanding rejection of the Petition, it will be open for the Petitioner to adopt statutory remedy in accordance with law. All contentions of the parties on merits are kept open.

JUDGE